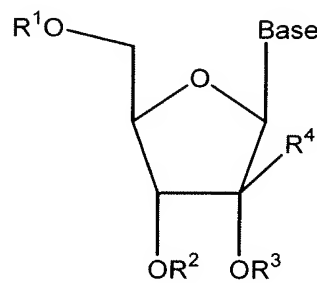


### AMENDMENTS TO THE CLAIMS

A detailed listing of all claims that are or were in the present application, irrespective of whether the claim(s) remains under examination in the application are presented below. The claims are presented in ascending order and each includes one status identifier.

1-32. (Canceled)

33. (Currently Amended) A method for treating a hepatitis C virus~~Flaviviridae~~ infection in a host, comprising administering an effective amount of a 2'-branched nucleoside of the formula:



or ~~at~~ its pharmaceutically acceptable prodrug or salt thereof to the host, wherein  
R<sup>1</sup> and R<sup>2</sup> are independently H; mono, di or triphosphate; acyl; sulfonate ester;  
benzyl; an amino acid ester; a carbohydrate; a peptide; a cholesterol or a  
pharmaceutically acceptable leaving group that provides a compound wherein R<sup>1</sup>  
or R<sup>2</sup> is independently H or phosphate when administered *in vivo*;  
R<sup>3</sup> is hydrogen;  
R<sup>4</sup> is alkyl, alkenyl, or alkynyl; and  
Base is a pyrimidine;

optionally in a pharmaceutically acceptable carrier or diluent, in combination and/or alternation with one or more drugs that directly or indirectly induce a mutation in a hepatitis C virus~~Flaviviridae~~ at a location other than a mutation of a nucleotide that results in a change from serine to a different amino acid in the highly conserved consensus sequence, XXSGXXXT (Sequence ID No. 63), of domain B of the RNA polymerase region.

34. (Currently Amended) The method of claim 33 wherein the drug is a drug that directly or indirectly induces or is associated with a mutation in a hepatitis C virus~~Flaviviridae~~

at a location other than ~~nucleotide 1214 (G to C) or 405 Ser to Thr of the RNA polymerase region of BVDV or~~ nucleotide 8443 (G to C) of the HCV genome or 282 Ser to Thr of the RNA polymerase region of HCV.

35.-37. (Canceled)

38. (Currently Amended) The method of claim ~~3337~~, wherein the 2'-branched nucleoside is  $\beta$ -D-2'-CH<sub>3</sub>-riboC, or a phosphate thereof, or a pharmaceutically acceptable salt or ester thereof.

39. (Currently Amended) The method of claim ~~3337~~, wherein the 2'-branched nucleoside is a 3'-amino acid prodrug of  $\beta$ -D-2'-CH<sub>3</sub>-riboC.

40. (Previously Presented) The method of claim 39, wherein the 2'-branched nucleoside is a 3'-L-valinyl prodrug of  $\beta$ -D-2'-CH<sub>3</sub>-riboC.

41. – 86. (Canceled).

87. (Currently Amended) The method of claim ~~3348~~, wherein R<sup>1</sup> is a mono, di or triphosphate.

88. (Canceled).

89. (Currently Amended) The method of claim ~~3348~~, wherein R<sup>2</sup> is an amino acid ester.

90. (Canceled).

91. (Canceled).

92. (Currently Amended) The method of claim ~~3348~~, wherein R<sup>4</sup> is methyl.

93.-100. (Canceled).

101. (Currently Amended) The method of claim ~~3348~~, wherein R<sup>2</sup> is an ester of a naturally occurring or synthetic  $\alpha$ ,  $\beta$ ,  $\gamma$ , or  $\delta$  amino acid.

102. (Canceled).

103. (Currently Amended) The method of claim 3348, wherein  $R^2$  is an ester of valine.
104. (Currently Amended) The method of claim 3348, wherein  
 $R^4$  is methyl;  
 $R^2$  is acyl or an amino acid ester;  
 $R^3$  is H; and  
 $R^1$  is H.
105. (Previously Presented) The method of claim 104, wherein  $R^2$  is an amino acid ester.
106. (Previously Presented) The method of claim 104, wherein  $R^2$  is an ester of valine.
107. (Previously Presented) The method of any one of claim 33, 34, 48, or 104 wherein host is human.
108. (Canceled).